

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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YORKSHIRE TOWERS COMPANY, L.P. and  
YORKSHIRE TOWERS TENANTS ASSOCIATION,

Plaintiffs,

-against-

THE FEDERAL TRANSIT ADMINISTRATION,  
THE METROPOLITAN TRANSPORTATION  
AUTHORITY and THE METROPOLITAN  
TRANSPORTATION AUTHORITY CAPITAL  
CONSTRUCTION COMPANY,

Defendants.  
-----X

YORKSHIRE TOWERS COMPANY, L.P. and  
YORKSHIRE TOWERS TENANTS ASSOCIATION,

Plaintiffs,

-against-

UNITED STATES DEPARTMENT OF  
TRANSPORTATION, RAY LAHOOD, in his capacity as  
Secretary of the United States Department of  
Transportation, THE FEDERAL TRANSIT  
ADMINISTRATION, PETER M. ROGOFF, in his capacity  
as administrator of the Federal Transit Administration, THE  
METROPOLITAN TRANSPORTATION AUTHORITY,  
JAY H. WALDER, in his capacity as Chairman of the  
Metropolitan Transportation Authority, THE NEW YORK  
CITY TRANSIT AUTHORITY, THOMAS F.  
PRENDERGAST, JR., in his capacity as President of the  
New York City Transit Authority and THE  
METROPOLITAN TRANSPORTATION AUTHORITY  
CAPITAL CONSTRUCTION COMPANY, MICHAEL  
HORODNICEANU, in his capacity as President of the  
Metropolitan Transportation Authority Capital Construction  
Company,

Defendants.  
-----X

Case No. 10-cv-8973 (TPG)

**STIPULATION BETWEEN  
PLAINTIFFS AND  
DEFENDANT STATE PUBLIC  
AUTHORITIES AND  
SUBSIDIARY AND  
EXECUTIVES  
(COLLECTIVELY THE "MTA")  
EXTENDING TIME TO  
ANSWER IN RELATED CASE  
AND PLAINTIFFS' TIME TO  
OPPOSE MOTION TO DISMISS  
BY MTA IN FIRST CASE  
PENDING SETTLEMENT  
CONFERENCE**

Case No. 11-cv-1058 (TPG)

**RELATED CASE**

**RECITALS:**

A. Plaintiffs commenced the first above-captioned case against Defendant Federal and State Agencies on November 30, 2010 (the "First Case"). The First Case is an action under the Freedom of Information Act and the Freedom of Information Law in the alternative, to compel the release of specified records and materials (the "FOI Case"). The same Plaintiffs on February 16, 2011 subsequently commenced the second above-captioned environmental lawsuit seeking injunctive and related relief against the same Defendant Agencies and their executives. The second case was accepted by the Court (Griesa, J.) as related on February 28, 2011 (the "Environmental Lawsuit").

B. The attorneys for the Plaintiffs and each of the Defendants in the FOI Case and the Related Case (collectively, the "Parties") appeared for the first pretrial conference (the "PTC") in the FOI Case on February 25, 2011. At the conclusion of the PTC, the Court directed the Parties to make good faith efforts to settle both cases for which they have scheduled a settlement conference.

**NOW, THEREFORE, IT IS HEREBY STIPULATED** by and between the attorneys for Plaintiffs and Defendants State Public Authorities and subsidiary and their executives (collectively, the "MTA") as follows:

1. Each of the above Recitals are incorporated as if fully set forth here.
2. Defendant MTA's time to answer, or to move against the Complaint in the Environmental Lawsuit is adjourned to April 25, 2011.

3. The time for Plaintiffs to serve their opposing papers to the motion to dismiss the FOI Action by Defendants Metropolitan Transportation Authority (the "MTA") and the Metropolitan Transportation Authority Capital Construction Company (the "MTACC") filed on February 23, 2011 (Docket Nos. 17 and 18), is extended to April 25, 2011, pending the outcome of settlement negotiations by the Parties. Defendants MTA and MTACC time to serve reply papers, if any, is extended to May 2, 2011.

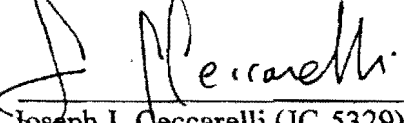
4. The Parties may agree to further extensions of time set forth in ¶¶ 2 and 3 above as may be necessary to pursue continuing settlement negotiations, or to conclude settlement terms and conditions.

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5. This Stipulation may be signed, emailed or faxed in counterpart, and if so signed, emailed or faxed, shall be considered the equivalent of one fully signed agreement for all purposes.

Dated: March 21, 2011  
New York, New York

CECCARELLI WEPRIN PLLC

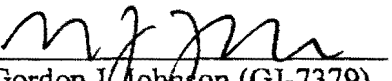
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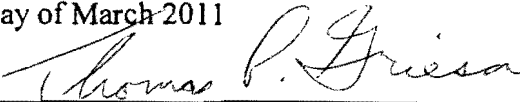
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Association*

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Construction Company and Michael  
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President of the Metropolitan  
Transportation Authority Capital  
Construction Company*

So ordered this 23<sup>d</sup>  
day of March 2011

  
Hon. Thomas P. Griesa  
United States District Judge